Cascas 3:05:05-03:602365938-SID obcourment 12:030 Filled 100/301/2000 6 Page 3:05 3 JEFFREY D. WOHL (Cal. State Bar No. 96838) 1 DANIEL E. WALDMAN (Cal. State Bar No. 223034) PAUL, HASTINGS, JANOFSKY & WALKER LLP 55 Second Street, 24th Floor 2 San Francisco, California 94105-3441 3 Telephone: (415) 856-7000 Facsimile: (415) 856-7100 4 5 Attorneys for Defendant International Business Machines Corporation 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN FRANCISCO DIVISION 11 12 LOUIS I. BRAUNSTEIN, No. C-05-03698-SI 13 STIPULATION AND [PROPOSED] ORDER Plaintiff, OF DISMISSAL 14 VS. 15 INTERNATIONAL BUSINESS MACHINES CORPORATION, 16 THEODORE LOWRY, WILLIAM SPENCER, and DOES 1 through 100, 17 inclusive, 18 Defendants. 19 20 21 22 23 24 25 26 27 28 STIPULATION AND ORDER OF DISMISSAL LEGAL_US_W # 54486141.1

U.S.D.C., N.D. Cal., C-05-03698-SI

1 **STIPULATION** 2 Pursuant to Rule 41(a)(1), Federal Rules of Civil Procedure, plaintiff Louis 1. Braunstein and 3 defendant International Business Machines Corporation hereby stipulate that this action may be 4 dismissed with prejudice, each side to bear its own costs and attorneys' fees. 5 Dated: Octobe 6, 2006. ROBERT W. LUCAS MURPHY, PEARSON, BRADLEY & FEENEY 6 PAUL NICHOLAS BOYLAN 7 8 9 Robert W. Lucas Attorneys for Plaintiff 10 Louis I. Braunstein 11 Dated: October 27, 2006. JEFFREY D. WOHL DANIEL E. WALDMAN 12 PAUL, HASTINGS, JANOFSKY & WALKER LLP 13 14 ttomeys for Defendant 15 International Business Machines Corporation 16 17 18 19 20 21 22 23 24 25 26 27 28

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1	ORDER
2	On the stipulation of the parties, and good cause appearing therefor,
3	IT IS ORDERED that this action be and is hereby DISMISSED WITH PREJUDICE, EACH
4	SIDE TO BEAR ITS OWN COSTS AND ATTORNEYS' FEES.
5	Dated: October, 2006.
6	- Duran Water
7	Susan Illston United States District Judge
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28	LEGAL_US_W # 54486141 -2- STIPULATION AND ORDER OF DISMISSAL U.S.D.C., N.D. Cal., C-05-03698-SI